

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)
)
)
Plaintiff,) 4:09CR3117
)
)
V.)
)
)
TRAVES RUSH,) MEMORANDUM
) AND ORDER
)
)
Defendant.)
)

Traves Rush has filed a Motion to Vacate under 28 U.S.C. § 2255. After initial review I will deny the motion.

Rush's motion refers to a "Memorandum of Law and Facts Supporting 2255 Motion" and "Affidavit" that "will be sent here (sic) after." (Filing no. 238 at CM/ECF p. 4.) However, no such documents have been filed, and the motion does not set forth any grounds for vacating the conviction or sentence. The motion is therefore insufficient on its face.

IT IS ORDERED that the Motion to Vacate under 28 U.S.C. § 2255 (filing no. 238) is denied with prejudice. A separate judgment will be issued.

DATED this 19th day of November, 2012.

BY THE COURT:

Richard G. Kopf
Senior United States District Judge